

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

ISHIGURO, TAKAHIKO, et al

Appln. No. 09/345,761

Filed: July 1, 1999

For: METHOD OF ASSAY OF TARGET NUCLEIC ACID



Group Art Unit: 1655

Examiner: Wilder, C.

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INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. §§ 1.97 and 1.98

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

In accordance with the duty of disclosure under 37 C.F.R. § 1.56, Applicant hereby notifies the U.S. Patent and Trademark Office of the documents which are listed on the attached Form PTO-1449 and/or listed herein and which the Examiner may deem relevant to patentability of the claims of the above-identified application.

One copy of each of the listed documents, excluding any cited copending applications, is submitted herewith.

The present Information Disclosure Statement is being filed after the later of three months from the application's filing date and the mailing date of the first Office Action on the merits, but before a Final Office Action or Notice of Allowance (whichever is earlier), and therefore Applicant is filing concurrently herewith a Statement Under 37 C.F.R. § 1.97(e). No fee under 37 C.F.R. § 1.17(p) is required.

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In compliance with the concise explanation requirement under 37 C.F.R. § 1.98(a)(3) for foreign language documents, Applicant encloses herewith a copy of a corresponding Communication from a Foreign Patent Office citing such documents, together with an English-language version (if not already included) of that portion of the Communication from a Foreign Patent Office indicating the degree of relevance found by the foreign office.

In compliance with the concise explanation requirement under 37 C.F.R. § 1.98(a)(3) for foreign language documents, Applicant submits the following explanations: Communication from European Search Report.

Complete English translations of foreign language documents are being submitted herewith, and therefore no concise explanation for such foreign language documents is required.

The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicant does not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application.

Respectfully submitted,


Peter D. Olexy, P.C.
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Date: November 29, 1999

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STATEMENT UNDER 37 CFR § 1.97(e)

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

The undersigned hereby states:



That each item of information contained in the Information Disclosure Statement filed concurrently herewith was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of said Information Disclosure Statement.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "Peter D. Olexy".

Peter D. Olexy, P.C.
Registration No. 24,513

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